

UNITED STATES PATENT AND TRADEMARK OFFICE

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PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte AMMAR DERAA, SUJIT SHARAN, and PAUL CASTROVILLO

Application No. 09/945,065

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on February 14, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

The substituted appendix of the appeal brief filed on February 5, 2004, contains brackets and underlining in the claims (see claims 1 and 14). The Manual of Patent Examining Procedure (MPEP) § 1206 requires the appendix of claims to be a clean copy, without underlines and brackets. Therefore, the substituted appendix of the appeal brief is defective.

Application No. 09/945,065

Accordingly, it is

ORDERED that this application be returned to the examiner to notify appellants that the substituted appendix to the appeal brief filed February 5, 2004, is defective and request that appellants submit a correct copy of the claims on appeal and; for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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